

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

WYETH,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 06-222 (JJF)
)	
IMPAX LABORATORIES, INC.,)	
)	
Defendant.)	

**ORDER ON DEFENDANT'S MOTION TO COMPEL WYETH TO
PRODUCE PROPERLY PREPARED RULE 30(b)(6) WITNESSES**

The Court having considered the parties' submissions regarding Defendant Impax Laboratories, Inc.'s Motion to Compel Wyeth To Produce Properly Prepared Rule 30(b)(6) Witnesses, (D.I. 207), the Court has granted the Motion with specificity at the July 13, 2007 motion hearing. The following procedures shall apply:

1. On or before July 20, 2007, Defendant shall file a revised notice that identifies subtopics for which it seeks additional testimony, only with respect to Topics 3 through 8, 10 (in vivo testing only), 16, 17, 19 (Tables 2 and 3 only), 20, 25, and 26 of its April 3, 2007 Second Amended Notice of Deposition Pursuant to Rule 30(b)(6). The notice shall contain narrowed subtopics and relate the noticed subtopics to an issue in the case and narratively explain why the noticed subtopic would be probative in some substantial way to an issue in the case. Impax should attempt to have as narrow a notice as possible. Wyeth shall serve its objections to the noticed subtopics on or before July 25, 2007.

2. The parties shall meet and confer regarding the identified subtopics and objections on July 26, 2007.

3. On or before July 31, 2007, the parties shall file a joint chart containing the subtopics, the narrative explanations, and remaining objections.

4. The Court will rule on the objections prior to the deposition without further briefing from the Parties.

5. Wyeth shall identify the witnesses it intends to designate to testify regarding the identified subtopics.

6. The 30(b)(6) deposition of Plaintiff shall take place on September 5 and 11, 2007 in Courtroom No. 4B of J. Caleb Boggs Federal Building, 844 N. King Street, Wilmington, Delaware beginning at 9:00 a.m.

AGREED AS TO FORM:

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IT IS SO ORDERED this 15 day of ^{August}~~July~~, 2007.

Joseph J. Gratz
United States District Court Judge